

# Exhibit B

**AFFIDAVIT IN SUPPORT OF SENTENCING HEARING**

I, Michael Fowler, being duly sworn, depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), and have been since March 2016. I am currently assigned to the Criminal Investigative Division (“CID”) of the FBI, assigned to the Baltimore Division Violent Crime Task Force. Prior to this assignment, I worked on the Joint Terrorism Task Force (“JTTF”) within FBI Baltimore, where I investigated matters of national security. Prior to assignment to the JTTF, I worked on the Cyber Crime Squad, where I investigated computer crimes including computer intrusions and identity theft. Prior to employment as a Special Agent with the FBI, I was employed for five and a half years as an Intelligence Analyst with the FBI, assigned to FBI Headquarters Cyber Division.

2. I have personally participated in this investigation. I have also received information from other federal and local law enforcement officials relating to this investigation. The information set forth in this affidavit is, therefore, based on my own observations and review of documents, and information provided to me by other law enforcement personnel.

3. On March 29, 2019, I assumed control as the primary case agent for the FBI investigation of Rondell Henry (“HENRY”). I had been advised that HENRY was the subject of a critical missing person that was issued by the Montgomery County Police Department (“MCPD”), that he had stolen a U-Haul van in Virginia, and that he had been detained at the National Harbor, Maryland, on March 28, 2019 by the Prince George’s County Police Department (“PGPD”). I also became aware that in April 2011, the Maryland Coordination and Analysis Center (“MCAC”) received a suspicious activity report related to HENRY. Specifically, an individual associated with HENRY reported that HENRY had been making statements of hatred to America as well as statements about “killing infidels” and “kill Americans”.

4. During a post-arrest interview, HENRY advised that he threw his phone out of his car after leaving work and traveling on Interstate 270. On the evening of March 27, 2019, the MCPD located HENRY's iPhone (hereinafter, "PHONE 1"), which had been abandoned along the median of Interstate 270. MCPD conducted an extraction of PHONE 1 and provided that extraction to the FBI on March 29, 2019. On April 5, 2019, the Honorable Charles B. Day, United States Magistrate Judge for the District of Maryland, signed a warrant authorizing the Government's search of PHONE 1.

5. During a post-arrest interview, HENRY further advised that he had given a iPhone to a family member. On March 29, 2019, law enforcement agents executed a federal search warrant at the family member's residence and seized the iPhone ("PHONE 2"). Another family member informed the agents that the family member's iPhone ("PHONE 3") was used by HENRY in the past. A family member consented to the agents' seizure of PHONE 3 and subsequent forensic analysis of its contents.

6. HENRY provided consent to PGPD/FBI TFOs to search his apartment located in Rockville, Maryland. During this consent search, the TFOs located several devices that were seized, to include a portable hard drive ("HARD DRIVE"). On April 5, 2019, the Honorable Charles B. Day, United States Magistrate Judge for the District of Maryland, signed a warrant authorizing the Government's search of the HARD DRIVE.

7. On April 3, 2019, HENRY was arrested by the FBI and gave a Mirandized, recorded interview to the FBI. In the April 3, 2019 interview, among other things, HENRY confirmed that he stole the U-Haul in order to repeat an attack similar to the Nice, France, truck attack. I believe this to be a reference to the July 14, 2016 attack in Nice, France, where a terrorist drove a cargo truck into a large crowd on the Promenade des Anglais, killing 86 people and injured

458 others. HENRY further confirmed that he previously watched ISIS videos of beheadings; that he did not have allegiance to ISIS but he took the pattern from ISIS and other named terrorist organizations; and that he was motivated by ISIS and inspired by the ISIS and other extremist videos he saw online. Furthermore, HENRY advised that he would start watching videos on YouTube and click on links in the comments that would take him to other web sites that hosted similar video content. HENRY also stated that he would routinely “clear” data from his devices, making it possible that law enforcement would see no trace of these videos on his digital media.

### **DIGITAL MEDIA**

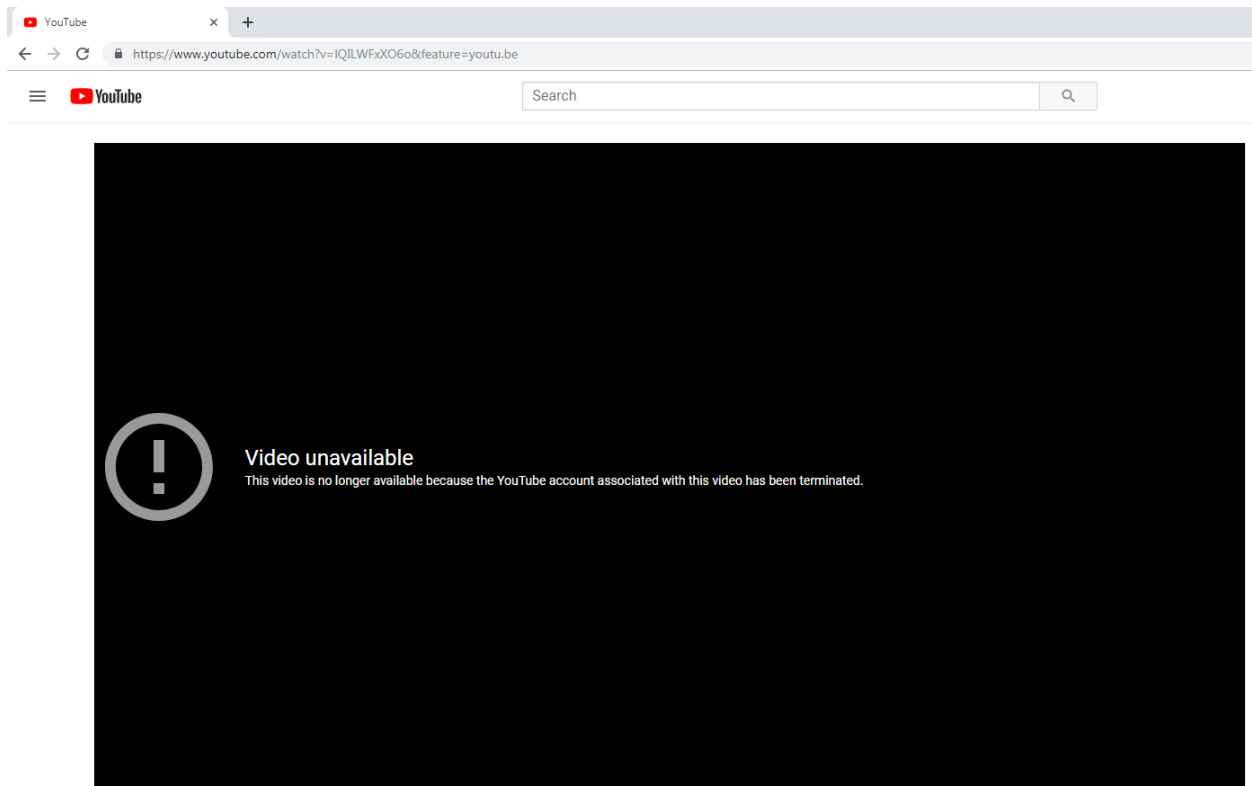
8. As stated above, the MCPD provided the FBI with the extraction of PHONE 1. On and after March 29, 2019, law enforcement conducted an initial forensic analysis of PHONE 1. During the review, law enforcement officials observed, among other things, an image of the seal incorporated into the ISIS flag, in addition to several images related to the October 2018 shooting at the Pittsburgh Tree of Life synagogue which killed eleven people and injured several others, and an image of the individual who attempted several mail-bombings in late October 2018. In addition, PHONE 1 contained several references to Ibn Taymiyyah. Based upon your Affiant’s training and experience, I know that Ibn Taymiyyah was an Islamic scholar who wrote the Mardin Fatwa which stated it was all Muslims’ personal obligation to wage jihad in defense of Muslim lands.

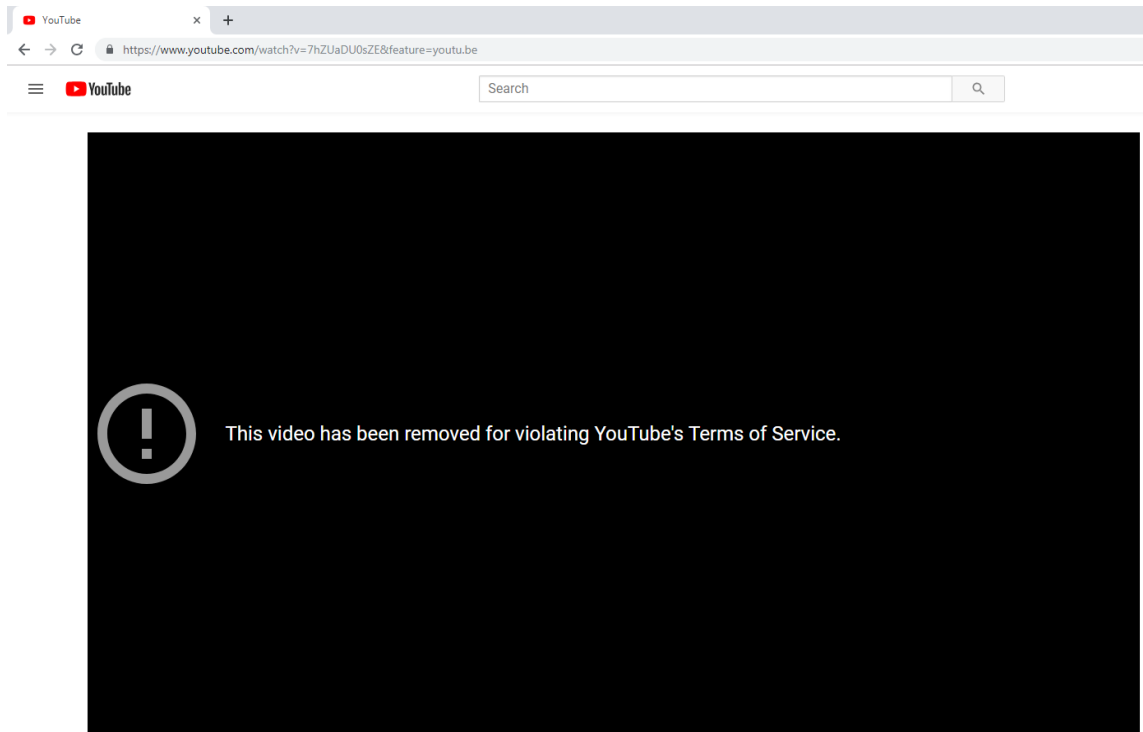
9. On and after March 29, 2019, law enforcement also conducted an initial forensic analysis of PHONE 2 and PHONE 3. The examination of PHONE 3 revealed among other things, images of an ISIS flag, guns, and the individual who murdered 49 people at the Pulse night club in Orlando, Florida in 2016.

10. During the law enforcement review of the HARD DRIVE, there were numerous

YouTube URLs contained within the unallocated space. Some of these URLs contained the title of the video with a specific URL. These included numerous videos and search queries for Anwar al-Awlaki, a key organizer for al-Qaeda until his death in 2011. These videos included a series titled “The Day of Judgment Part 1/6 Why The World Hates America”. Other URLs included videos titled “Al-Qaeda Hospital Massacre in Yemen” and “How the US Created the Islamic State...”. Various URLs containing news articles regarding the use of a pressure cooker bomb at the Boston Marathon bombing were also observed.

11. Further, during the review of PHONE 3, law enforcement identified a substantial number of YouTube URLs. Law enforcement subsequently attempted to view these URLs utilizing the Internet, however many were unable to be accessed. Law enforcement, when attempting to access these URLs, were directed to the one of the following pages:





### **GOOGLE SEARCH WARRANTS**

12. Throughout the course of the investigation, several search warrants issued by U.S. Magistrate Judges for the District of Maryland were served to Google, LLC. During my review of the search history for a Google e-mail account utilized by HENRY, I observed numerous searches for various terrorist groups and related content, to include ISIS and Abu Bakr al-Baghdadi, the first caliph of the Islamic State until his death, dating back to at least 2016.

13. Specifically, HENRY viewed a removed video that is the announcement of the Islamic Caliphate by al-Baghdadi. In this video, al-Baghdadi, among other things, discusses waging jihad, Allah commanding the fight against enemies using Islamic punishments, and that Muslims who aren't establishing the caliphate are committing sin. Other videos viewed included "What It's Really Like to Fight for the Islamic State", "Foreigners Fighting ISIS in Syria", and

“Chilling Interview of ISIS Fighters by Israel Reported”. A significant number of these videos depict graphic violence and fighting on battlefields, to include executions in entirety. Additionally, HENRY searched and viewed numerous videos of the Nice truck attack, to include raw footage of the attack.

Subscribed and sworn to under penalty of perjury this 6th day of October, 2023 .

*Michael Fowler*

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Michael Fowler, Special Agent  
Federal Bureau of Investigation